

ESTTA Tracking number: **ESTTA344868**

Filing date: **04/29/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	91193512
Applicant	Defendant Milan Tadic
Other Party	Plaintiff MTD-USA, LLC

### **Motion for Suspension in View of Civil Proceeding With Consent**

The parties are engaged in a civil action which may have a bearing on this proceeding. Accordingly, Milan Tadic hereby requests suspension of this proceeding pending a final determination of the civil action. Trademark Rule 2.117.

Milan Tadic has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Milan Tadic has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,  
/Terrell W. Mills/  
Terrell W. Mills  
tmills@wyche.com, tgentry@wyche.com  
TSt.Clair@TurnerPadget.com  
04/29/2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MTD-USA, LLC,

Opposer,

vs.

Milan Tadic,

Applicant.

Opposition Number 91193512

**CONSENT MOTION TO SUSPEND IN  
VIEW OF CIVIL LITIGATION**

This matter is pending before the Trademark Trial and Appeal Board. For the reasons that follow, the parties jointly request that this matter be stayed and suspended pending resolution of concurrent civil litigation.

Simultaneous herewith there is pending in the Court of Common Pleas in the State of South Carolina, Spartanburg County, civil litigation styled *MTD-America, LLC, MTD d.o.o., and Milan Tadic v. MTD-USA, LLC*, C.A. NO. 2009-CP-42-6171 (the "Civil Litigation"). The Civil Litigation involves parties to this action, and there is substantial overlap between the matters at issue here and those in the Civil Litigation. Accordingly, the outcome of the Civil Litigation is likely to have a bearing on the outcome of this matter. The parties therefore jointly move for the stay and suspension of the above referenced Opposition pending the final outcome of the Civil Litigation.

Greenville, South Carolina

Dated: April 29, 2010

WE SO MOVE:

/Terrell W. Mills/

Terrell W. Mills

WYCHE BURGESS FREEMAN & PARHAM, P.A.

Post Office Box 728

Greenville, SC 29602-0728

Telephone: 864-242-2800

E-Mail: [tmills@wyche.com](mailto:tmills@wyche.com)

**ATTORNEY FOR APPLICANT MILAN TADIC**

WE SO MOVE:

/Timothy D. St. Clair/

Timothy D. St. Clair.

TURNER PADGET GRAHAM & LANEY, P.A..

P.O. Box 1509

Greenville, SC 29601-1509

Telephone: 864-552-4600

E-Mail: [TSt.Clair@TurnerPadget.com](mailto:TSt.Clair@TurnerPadget.com)

**ATTORNEYS FOR OPPOSER MTD**